

INVOICE

Alex Mas
The Nature Conservancy
14 Main Street, Suite 401
Brunswick ME 04011

E-mail: amas@tnc.org

Invoice # 64

Date: April 8, 2011

Bill To:

Environmental Protection
BLWQ
17 State House Station
Augusta ME 04333-0017

Vendor Code:

VC1000067626

	Description
	In Lieu Fee for Wetland Compensation \$3,334.50
	DEP Number: #L-20543-TE-F-N
	Internal transfer-invoice
	City of Portland
	Total \$3,334.50

IN-LIEU-FEE (ILF) PROJECT DATA WORKSHEET

DEP Invoice # 64

[Note: Will be filled in by ILF Administrator in Augusta]

Project name: Phase 4, Fall Brook Improvements

Applicant: City of Portland

DEP/Corps permit #: DEP L-20543-TE-F-N

[Note: Please attach a PDF copy of the permit]

DEP ATS #: 72630

ILF Contribution Amount \$3,334.50

[Note: Please attach a PDF copy of the check]

Project address: Portland

[Note; Please attach a PDF map of project location]

Biophysical region: Coast of Maine Coastal Lowland Subsection

Size of total impact subject to compensation: 675 square feet of freshwater
wetland

Resources Impacted: FW

*[The resource table on page 2 MUST be filled in with all resource types impacted,
amounts and functions.]*

Project manager: Robert Green

Note: The ILF Project Data Worksheet must be filled out by the PM within 3 days of receiving a contribution to the "Natural Resource Mitigation Fund" and faxed along with a copy of the check to James Cassida in Augusta at 287-7826. The distribution of ILF contributions is time sensitive.

The PM should also double check to make sure that the check has been routed to Augusta with the correct account number reference. The account # for the ILF program is 014.06A.1776.14

Resource(s) Impacted:

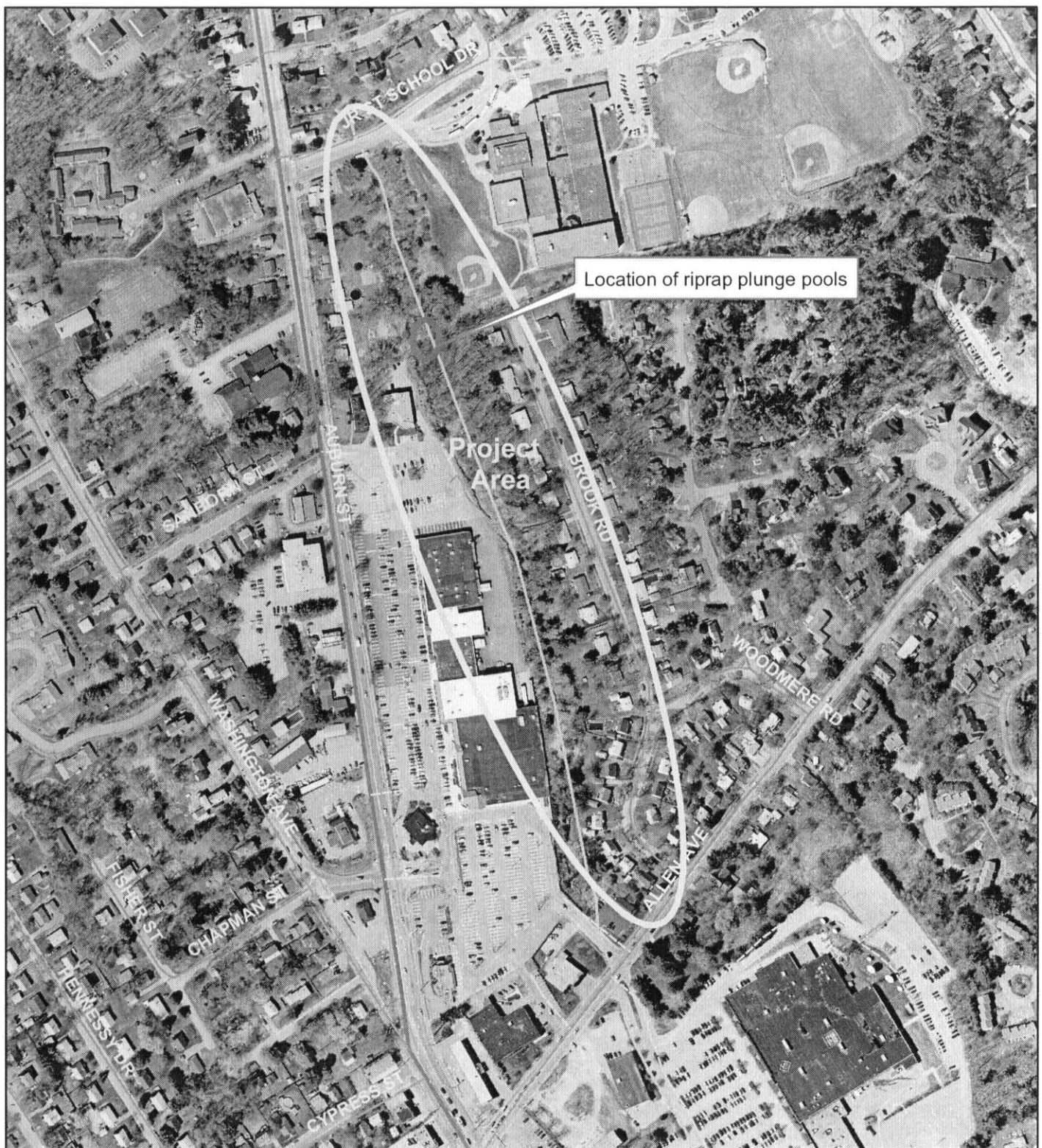
Resource Type: (Wetlands by NWI Type (PFO, PSS, M1, M2, E1, E2, etc), significant vernal pool (SVP), shorebird feeding & staging habitat (Shorebird), inland waterfowl & wading bird habitat (IWWH), tidal waterfowl & wading habitat (TWWH), and river, stream, or brook (RSB).

Wetland Functions & Values: Groundwater recharge/discharge (GWR); floodflow alterations (FF); fish & shellfish habitat (FSH); sediment toxicant retention (STR); nutrient removal (NR); production export (PE); sediment/shoreline stabilization (SS); wildlife habitat (WH); recreation (R); education/scientific value (ESV); uniqueness/heritage (UH); and visual quality/aesthetics (VQ).

Types of impacts: may include filling, dredging, vegetation conversion (e.g. forested to shrub/scrub), others.

Resource type (list all that apply)	Functions (for wetland impacts) (list all that apply, by resource type)	Type of Impact (by resource type)	Sq Feet Impacted (by resource type)
PFO	GWR, FF, STR, SS	Fill	675
Total square feet impacted			675

Fall Brook Watershed
CSO Abatement
Yseth-Moore Drive to Allen Avenue



500 250 0 500 Feet

Map Notes:

- Background hydrologic, topographic and political features are from MEGIS data layers with an accuracy of +/- 40 feet.
- All spatial data is projected to NAD 1983 UTM Zone 19.
- All spatial data is specific to Maine DEP Bureau of Land and Water Quality. Data is maintained by the Maine DEP GIS Unit.
- This map is to be used for reference purposes only and does not represent authoritative locations of displayed features.

Map Prepared By: Robert Green
Maine DEP, BLWQ,
Division of Land Resource Regulation
December 16, 2010





STATE OF MAINE
Department of Environmental Protection

PAUL R. LEPAGE
GOVERNOR

JAMES P. BROOKS
ACTING COMMISSIONER

January, 2011

City of Portland
C/o Nathaniel Smith
55 Portland Street
Portland, Maine 04101

RE: Natural Resources Protection Act Application, Portland, DEP #L-20543-TG-F-N/L-20543-L6-G-N

Dear Mr. Smith:

Please find enclosed a signed copy of your Department of Environmental Protection land use permit. You will note that the permit includes a description of your project, findings of fact that relate to the approval criteria the Department used in evaluating your project, and conditions that are based on those findings and the particulars of your project. Please take several moments to read your permit carefully, paying particular attention to the conditions of the approval. The Department reviews every application thoroughly and strives to formulate reasonable conditions of approval within the context of the Department's environmental laws. You will also find attached some materials that describe the Department's appeal procedures for your information.

If you have any questions about the permit or thoughts on how the Department processed this application please get in touch with me directly. I can be reached at 207- 822-6300 or at robert.green@maine.gov

Yours sincerely,

A handwritten signature in cursive script that reads "Robert L. Green, Jr.".

Robert L. Green, Jr., Project Manager
Division of Land Resource Regulation
Bureau of Land & Water Quality
pc: File

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST

BANGOR
106 HOGAN ROAD
BANGOR ME 04401
(207) 941-4570 FAX 207-941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769-2094
(207) 764-0477 FAX: (207) 764-3143

WEB SITE: WWW.MAINE.GOV/DEP



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION
AUGUSTA, ME 04333

DEPARTMENT ORDER

IN THE MATTER OF

CITY OF PORTLAND) NATURAL RESOURCES PROTECTION
Portland, Cumberland County) FRESHWATER WETLAND ALTERATION
PHASE 4, FALL BROOK IMPROVEMENTS) WATER QUALITY CERTIFICATION
L-20543-TG-F-N (approval))
L-20543-L6-G-N (approval)) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S.A. Sections 480-A et seq. and Section 401 of the Federal Water Pollution Control Act, the Department of Environmental Protection has considered the application of the CITY OF PORTLAND with the supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. PROJECT DESCRIPTION:

A. History of Project: In January 1991, the City of Portland and the Portland Water District entered into an Administrative Consent Agreement with the Department. The consent agreement required the City of Portland and Portland Water District to begin a prioritized, long-term program to abate Combined Sewer Overflows (CSOs) in Portland. As a result of this agreement, a Master Plan dated December 1993, was completed. The Master Plan outlines an aggressive 15-year implementation schedule to abate 39 CSOs contributing to six receiving water bodies. One primary goal of the Master Plan is to eliminate all CSOs in sensitive receiving waters including Fall Brook. To eliminate the CSOs that currently enter into the Fall Brook system, the City of Portland and Portland Water District must first upgrade existing culverts.

The Department has issued several permits along the Fall Brook corridor associated with the separation of the combined sewer overflows. The last permit, #L-20543-TG-E-N, dated January 13, 2010, approved alteration of the Fall Brook stream channel and filling and alteration of forested freshwater wetlands in order to construct Phase 3 of the Fall Brook Channel Improvements project located between the north side of Maine Avenue to Washington Avenue and Allen Avenue in the City of Portland.

B. Summary: The applicant proposes to construct Phase 4 of the Fall Brook improvements by extending the 48-inch diameter concrete pipe approximately 500 linear feet from its current inlet location just north of Allen Avenue to a point behind the Northgate Shopping Plaza. The new 48-inch line is designed to convey stormwater only and will parallel the existing 48-inch Eastside Interceptor sewer. At this point, routing pipe will connect the storm drain to the Eastside Interceptor. These pipes will be plugged until the project is constructed and sanitary sewer/storm drain separation has been completed. Beyond this point, the applicant proposes to construct approximately 900 linear feet of 24-inch PVC pipe and then downsizing to 21-inch PVC pipe for

an additional 800 linear feet. These pipes will convey sanitary sewerage and discharge into the Eastside Interceptor at the connection point behind the Northgate Shopping Plaza.

The applicant is seeking approval under the Natural Resources Protection Act (NRPA) to alter an additional 675 square feet of freshwater wetlands and 50 linear feet of stream to complete Phase 4 of the combined sewer overflow (CSO) abatement project in the Fall Brook watershed. The proposed project will bring the cumulative wetland impacts resulting from the Fall Brook CSO abatement project to 51,399 square feet. The project is shown on a set plans, the first of which is entitled "Fall Brook Phase 4," prepared by Gorrill-Palmer Consulting Engineers, Inc., and dated October 5, 2010. The project site is located between the north side of Allen Avenue and Lyseth Moore Avenue in the City of Portland.

C. Current Use of the Site: The proposed project is located within the City's Sewer Right-of-Way. The project site is between a residential neighborhood and a commercial development.

2. TITLE, RIGHT OR INTEREST:

The City of Portland will be working within its existing easement. In situations where the City needs to work outside the city's easement, it has obtained temporary work easements from affected landowners.

3. EXISTING SCENIC, AESTHETIC, RECREATIONAL OR NAVIGATIONAL USES:

In accordance with Chapter 315, Assessing and Mitigating Impacts to Scenic and Aesthetic Uses, the applicant submitted a copy of the Department's Visual Evaluation Field Survey Checklist as Appendix A to the application along with a description of the property and the proposed project. The applicant also submitted several photographs of the proposed project site, including an aerial photograph of the project site. Department staff visited the project site on May 18, 2010.

The proposed project is located adjacent to Fall Brook, which is not a scenic resource visited by the general public, in part, for the use, observation, enjoyment and appreciation of its natural and cultural visual qualities.

The proposed project was evaluated using the Department's Visual Impact Assessment Matrix and was found to have an acceptable potential visual impact rating. Based on the information submitted in the application, the visual impact rating, and the site visit, the Department determined that the location and scale of the proposed activity is compatible with the existing visual quality and landscape characteristics found within the viewshed of the scenic resource in the project area.

The Department did not identify any issues involving existing recreational and navigational uses.

The Department finds that the proposed activity will not unreasonably interfere with existing scenic, aesthetic, recreational, or navigational uses of the protected natural resource.

4. SOIL EROSION:

The proposed project involves placement of plunge pools in the stream channel of Fall Brook. The plunge pools are necessary to protect the inlet and outlet of the culvert that conveys flow

from Fall Brook under a 48-inch water main owned by the Portland Water District. The applicant submitted an erosion and sedimentation control plan, contained in the set of plans referred to in Finding 1. The applicant intends to begin construction on the proposed project during the winter and utilize temporary erosion and sedimentation control measures. The applicant will stabilize areas adjacent to Fall Brook with an erosion control blanket or turf reinforcement. Exposed soil will be stabilized in the manner specified by the plans and prior to a predicted storm event.

The Department finds that the activity will not cause unreasonable erosion of soil or sediment nor unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.

5. HABITAT CONSIDERATIONS:

Department staff reviewed a Geographic Information System (GIS) database that contains information provided by both the Department of Marine Resources and the Department of Inland Fisheries and Wildlife. The GIS database indicates that there are no Significant Wildlife Habitats as defined in the NRPA associated with the project site.

The Department finds that the activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridor, freshwater, estuarine or marine fisheries or other aquatic life.

6. WATER QUALITY CONSIDERATIONS:

The Department does not anticipate that the proposed project will violate any state water quality law, including those governing the classification of the State's waters.

7. WETLANDS AND WATERBODIES PROTECTION RULES:

The applicant proposes to alter 675 square feet and 50 linear feet of stream to place riprap plunge pools on either side of the 48-inch water main, owned by Portland Water District, that crosses Fall Brook.

The Department's Wetlands and Waterbodies Protection Rules, Chapter 310, require that the applicant meet the following standards:

A. Avoidance. No activity may be permitted if there is a practicable alternative to the project that would be less damaging to the environment. Each application for a freshwater wetland alteration permit must provide an analysis of alternatives in order to demonstrate that a practicable alternative does not exist. The applicant submitted an alternatives analysis for the proposed project completed by William Haskell, PE, of Gorrill-Palmer Consulting Engineers, Inc. and dated October 2010. The alternatives analysis describes the following options that were considered by the City of Portland: (1) to do nothing; (2) to fully separate wastewater and stormwater flows utilizing a new closed stormwater conveyance system; or (3) to continue to utilize the Eastside Interceptor running at full capacity with overflows into a stormwater conveyance channel. The project being proposed in this application utilizes alternative #3, as the only constructable alternative that will eliminate CSO #007. The Bureau of Land and Water Quality's Division of Water Quality Management approved this project as part of Portland's CSO Master Plan.

B. Minimal Alteration. The amount of freshwater wetland to be altered must be kept to the minimum amount necessary for meeting the overall purpose of the project. The proposed project must be located within the applicant's right-of-way. As a result, the project will disturb wetlands at four points, including a temporary stream crossing. The applicant proposes to mitigate for these wetland disturbances by revegetating with wetland seed mix. The only permanent wetland alteration will be limited to riprap plunge pools on either of the water main crossing. This impact is necessary to ensure the long-term stability of the water main crossing.

C. Compensation. Compensation is required to achieve the goal of no net loss of wetland and stream functions and values. In accordance with Chapter 310, Section 5C, compensation is required to achieve the goal of no net loss of wetland functions and values. The applicant submitted a functional assessment, dated May 2008 and amended in February 2010, which described the wetlands to be altered by the proposed project and identified their primary functions and values as floodflow alteration, groundwater recharge/discharge, and sediment/toxicant retention. Other functions occurring in the wetlands include floodflow alteration, groundwater recharge/discharge, sediment/shoreline stabilization, and sediment toxicant retention.

After considering several compensation options, the applicant elected to make a contribution into the Maine Natural Resource Conservation Fund in the amount of \$3,334.50 to compensate for the 675 square feet of permanent impacts to freshwater wetlands associated with the proposed project.

The Department finds that the applicant has avoided and minimized wetland impacts to the greatest extent practicable, and that the proposed project represents the least environmentally damaging alternative that meets the overall purpose of the project.

8. OTHER CONSIDERATIONS:

The Department did not identify any other issues involving existing scenic, aesthetic, or navigational uses, soil erosion, habitat or fisheries, the natural transfer of soil, natural flow of water, water quality, or flooding.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions pursuant to 38 M.R.S.A. Sections 480-A et seq. and Section 401 of the Federal Water Pollution Control Act:

- A. The proposed activity will not unreasonably interfere with existing scenic, aesthetic, recreational, or navigational uses.
- B. The proposed activity will not cause unreasonable erosion of soil or sediment.
- C. The proposed activity will not unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.
- D. The proposed activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridor, freshwater, estuarine, or marine fisheries or other aquatic life.

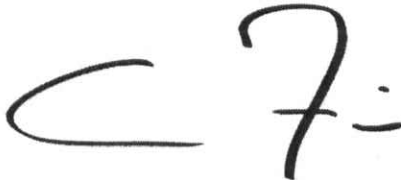
- E. The proposed activity will not unreasonably interfere with the natural flow of any surface or subsurface waters.
- F. The proposed activity will not violate any state water quality law including those governing the classifications of the State's waters.
- G. The proposed activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties.
- H. The proposed activity is not on or adjacent to a sand dune.
- I. The proposed activity is not on an outstanding river segment as noted in Title 38 M.R.S.A. Section 480-P.

THEREFORE, the Department APPROVES the above noted application of the CITY OF PORTLAND to alter an additional 675 square feet of freshwater wetlands to complete Phase 4 of the CSO abatement project in the Fall Brook watershed, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations:

1. Standard Conditions of Approval, a copy attached.
2. The applicant shall take all necessary measures to ensure that its activities or those of its agents do not result in measurable erosion of soil on the site during the construction of the project covered by this approval.
3. Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.

DEPARTMENT OF ENVIRONMENTAL PROTECTION



This permit has been digitally signed by Andrew C. Fisk on behalf of Acting Commissioner James Brooks. It is digitally signed pursuant to authority under 10 M.R.S.A. § 9418. It has been filed with the Board of Environmental Protection as of the signature date 2011.01.10 09:41:06 -05'00'

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES...

rlg/ats#72630&72964/120543fngn



Natural Resource Protection Act (NRPA) Standard Conditions

THE FOLLOWING STANDARD CONDITIONS SHALL APPLY TO ALL PERMITS GRANTED UNDER THE NATURAL RESOURCE PROTECTION ACT, TITLE 38, M.R.S.A. SECTION 480-A ET.SEQ. UNLESS OTHERWISE SPECIFICALLY STATED IN THE PERMIT.

- A. Approval of Variations From Plans. The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation.
- B. Compliance With All Applicable Laws. The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. Erosion Control. The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site during the construction and operation of the project covered by this Approval.
- D. Compliance With Conditions. Should the project be found, at any time, not to be in compliance with any of the Conditions of this Approval, or should the applicant construct or operate this development in any way other the specified in the Application or Supporting Documents, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to have been violated.
- E. Initiation of Activity Within Two Years. If construction or operation of the activity is not begun within two years, this permit shall lapse and the applicant shall reapply to the Board for a new permit. The applicant may not begin construction or operation of the activity until a new permit is granted. Reapplications for permits shall state the reasons why the applicant will be able to begin the activity within two years form the granting of a new permit, if so granted. Reapplications for permits may include information submitted in the initial application by reference.
- F. Reexamination After Five Years. If the approved activity is not completed within five years from the date of the granting of a permit, the Board may reexamine its permit approval and impose additional terms or conditions to respond to significant changes in circumstances which may have occurred during the five-year period.
- G. No Construction Equipment Below High Water. No construction equipment used in the undertaking of an approved activity is allowed below the mean high water line unless otherwise specified by this permit.
- H. Permit Included In Contract Bids. A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.
- I. Permit Shown To Contractor. Work done by a contractor pursuant to this permit shall not begin before the contractor has been shown by the applicant a copy of this permit.



DEP INFORMATION SHEET

Appealing a Commissioner's Licensing Decision

Dated: May 2004

Contact: (207) 287-2811

SUMMARY

There are two methods available to an aggrieved person seeking to appeal a licensing decision made by the Department of Environmental Protection's (DEP) Commissioner: (1) in an administrative process before the Board of Environmental Protection (Board); or (2) in a judicial process before Maine's Superior Court. This INFORMATION SHEET, in conjunction with consulting statutory and regulatory provisions referred to herein, can help aggrieved persons with understanding their rights and obligations in filing an administrative or judicial appeal.

I. ADMINISTRATIVE APPEALS TO THE BOARD

LEGAL REFERENCES

DEP's General Laws, 38 M.R.S.A. § 341-D(4), and its Rules Concerning the Processing of Applications and Other Administrative Matters (Chapter 2), 06-096 CMR 2.24 (April 1, 2003).

HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD

The Board must receive a written notice of appeal within 30 calendar days of the date on which the Commissioner's decision was filed with the Board. Appeals filed after 30 calendar days will be rejected.

HOW TO SUBMIT AN APPEAL TO THE BOARD

Signed original appeal documents must be sent to: Chair, Board of Environmental Protection, c/o Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017; faxes are acceptable for purposes of meeting the deadline when followed by receipt of mailed original documents within five (5) working days. Receipt on a particular day must be by 5:00 PM at DEP's offices in Augusta; materials received after 5:00 PM are not considered received until the following day. The person appealing a licensing decision must also send the DEP's Commissioner and the applicant a copy of the documents. All the information listed in the next section must be submitted at the time the appeal is filed. Only the extraordinary circumstances described at the end of that section will justify evidence not in the DEP's record at the time of decision being added to the record for consideration by the Board as part of an appeal.

WHAT YOUR APPEAL PAPERWORK MUST CONTAIN

The materials constituting an appeal must contain the following information at the time submitted:

1. *Aggrieved Status.* Standing to maintain an appeal requires the appellant to show they are particularly injured by the Commissioner's decision.
2. *The findings, conclusions or conditions objected to or believed to be in error.* Specific references and facts regarding the appellant's issues with the decision must be provided in the notice of appeal.
3. *The basis of the objections or challenge.* If possible, specific regulations, statutes or other facts should be referenced. This may include citing omissions of relevant requirements, and errors believed to have been made in interpretations, conclusions, and relevant requirements.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.

5. *All the matters to be contested.* The Board will limit its consideration to those arguments specifically raised in the written notice of appeal.

6. *Request for hearing.* The Board will hear presentations on appeals at its regularly scheduled meetings, unless a public hearing is requested and granted. A request for public hearing on an appeal must be filed as part of the notice of appeal.

7. *New or additional evidence to be offered.* The Board may allow new or additional evidence as part of an appeal only when the person seeking to add information to the record can show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process or show that the evidence itself is newly discovered and could not have been presented earlier in the process. Specific requirements for additional evidence are found in Chapter 2, Section 24(B)(5)

OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

1. *Be familiar with all relevant material in the DEP record.* A license file is public information made easily accessible by DEP. Upon request, the DEP will make the material available during normal working hours, provide space to review the file, and provide opportunity for photocopying materials. There is a charge for copies or copying services.

2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing your appeal.* DEP staff will provide this information on request and answer questions regarding applicable requirements.

3. *The filing of an appeal does not operate as a stay to any decision.* An applicant proceeding with a project pending the outcome of an appeal runs the risk of the decision being reversed or modified as a result of the appeal.

WHAT TO EXPECT ONCE YOU FILE A TIMELY APPEAL WITH THE BOARD

The Board will formally acknowledge initiation of the appeals procedure, including the name of the DEP project manager assigned to the specific appeal, within 15 days of receiving a timely filing. The notice of appeal, all materials accepted by the Board Chair as additional evidence, and any materials submitted in response to the appeal will be sent to Board members along with a briefing and recommendation from DEP staff. Parties filing appeals and interested persons are notified in advance of the final date set for Board consideration of an appeal or request for public hearing. With or without holding a public hearing, the Board may affirm, amend, or reverse a Commissioner decision. The Board will notify parties to an appeal and interested persons of its decision.

II APPEALS TO MAINE SUPERIOR COURT

Maine law allows aggrieved persons to appeal final Commissioner licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2.26; 5 M.R.S.A. § 11001; & MRCivP 80C. Parties to the licensing decision must file a petition for review within 30 days after receipt of notice of the Commissioner's written decision. A petition for review by any other person aggrieved must be filed within 40-days from the date the written decision is rendered. The laws cited in this paragraph and other legal procedures govern the contents and processing of a Superior Court appeal.

ADDITIONAL INFORMATION: If you have questions or need additional information on the appeal process, contact the DEP's Director of Procedures and Enforcement at (207) 287-2811.

Note: The DEP provides this INFORMATION SHEET for general guidance only; it is not intended for use as a legal reference. Maine law governs an appellant's rights.

DO NOT ACCEPT THIS CHECK UNLESS YOU CAN SEE A DUAL-TONE TRUE WATERMARK THAT APPEARS AS CONNECTING HEXAGONS WHEN HELD TO THE LIGHT AND "SAFE" APPEARS WHEN VIEWED AT AN ANGLE.



CITY OF PORTLAND
PORTLAND, MAINE

527445
2112

331848

TO THE ORDER OF:

DATE

VOID IF NOT PRESENTED
NINETY DAYS FROM DATE

12-30-2010

PAY EXACTLY

\$*****3,334.50

STATE OF MAINE-DEP
DEPT OF ENVIR. PROTECTION
OIL & HAZARDOUS MATERIALS
STATE HOUSE STATION 155
AUGUSTA ME 04333

1LF 014 06A 1776 14

TD BANK/NORTH
PORTLAND, MAINE

AUTHORIZED SIGNATURE
REGULAR ACCOUNT

VOID COPY VOID
FACSIMILE SIGNATURE NOT AUTHORIZED
OVER FIVE THOUSAND DOLLARS

THE FACE OF THIS CHECK HAS A BLUE BACKGROUND - ANY OTHER COLORS MAY BE EVIDENCE OF CHEMICAL ALTERATION OR ERASURE - SEE REVERSE SIDE FOR MORE SAFETY FEATURES.

331848 : 2112744500 0291 526921